

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT  
OF TENNESSE, AT KNOXVILLE**

**ZACHARY SCRUGGS AND SAM COLLETT,**

Plaintiffs

vs.

No: 3:13-cv-718

**RMB, INC.,**

Defendant

**NOTICE OF REMOVAL**

TO: Clerk, Court of General Sessions  
Roane County, TN  
200 East Race Street, Suite 16  
Kingston, TN 37763

Zachary Scruggs and Sam Collett  
312 S. Chamberlain Avenue  
Rockwood, TN 37854

Defendant RMB, Inc. pursuant to 28 U.S.C. §1331 and 28 U.S.C. §1441, files this Notice of Removal and in support thereof, states the following grounds:

1. On or after December 9, 2013, Defendant was served with Plaintiffs' Summons, Complaint and attachments, all of which are attached hereto as Exhibit 1, in an action filed in the General Sessions Court for Roane County, Tennessee, bearing docket number 13-CV-1450.

2. Plaintiffs' Complaint purports to state claims arising under the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et. seq.* and the Telephone Consumer Protection Act of 1991, 47 U.S.C. §227 *et. seq.*

3. This Court has original subject matter jurisdiction over Plaintiffs' claims pursuant to this Court's federal question jurisdiction, 28 U.S.C. §1331.

4. Pursuant to 28 U.S.C. §1446(b), this Notice of Removal is filed within thirty (30) days following Defendant's receipt of the initial pleadings and other documents setting forth the claim for relief upon which this action is based. Specifically, Defendant was served with process on or after December 9, 2013.

5. Pursuant to 28 U.S.C. §1446(a), the documents attached hereto as Exhibit 1 constitute all process, pleadings and other materials received by Defendant.

6. Defendant has provided written notice of the filing of this Notice of Removal to all of the parties to this action by ordinary mail on this date and has also forwarded similar notice to the Clerk for the General Sessions Court for Roane County, Tennessee.

7. Upon receipt of this Notice, no further action shall be taken in the General Sessions Court for Roane County, Tennessee.

This the 12th day of December, 2013.

/s/ John M. Lawhorn

John M. Lawhorn (BPR No. 14388)

**FRANTZ, McCONNELL & SEYMOUR, LLP**

P.O. Box 39

Knoxville, TN 37901

(865) 546-9321

Attorney for Defendant RMB, Inc.

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and exact copy of the foregoing document has been served this \_\_\_\_\_ day of December, 2013, upon all counsel or parties as listed below at interest in this cause by delivering a true and exact copy to the offices of said counsel or parties or by placing a copy in the United States mail addressed to said counsel or parties at his/her office, with sufficient postage to carry it to its destination, or by special overnight courier; if the foregoing document has been electronically filed with the Court, this service has been made only upon counsel or parties to whom the Court does not furnish electronic copies of filings.

Zachary Scruggs  
312 S. Chamberlain Avenue  
Rockwood, TN 37854

Sam Collett  
312 S. Chamberlain Avenue  
Rockwood, TN 37854

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John M. Lawhorn  
**FRANTZ, McCONNELL & SEYMOUR, LLP**